

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

CONSUMER FINANCIAL
PROTECTION BUREAU,

Petitioner,

v.

NATIONAL CREDIT SYSTEMS,
INC.,

Respondent.

Case No. _____

**[PROPOSED] ORDER TO
SHOW CAUSE**

The Petitioner, the Consumer Financial Protection Bureau (Bureau), having filed a Petition to Enforce a Civil Investigative Demand (CID) against Respondent National Credit Systems, Inc. (NCS), the Court having considered the Petition and documents filed in support thereof, and good cause having been shown, the Court being fully advised in this matter, and there being no just cause for delay:

IT IS HEREBY ORDERED that on _____, _____, or as soon thereafter as the parties can be heard, the Respondent shall appear before the Honorable _____, United States District Judge, in Courtroom __,

located at _____, to show cause, if there be any, why an Order Compelling Compliance with the CID should not be entered in accordance with the Petition filed by the Bureau.

IT IS FURTHER ORDERED that:

1. A copy of this Order, together with the petition, declaration, and its exhibits, shall be served in accordance with Rule 4(h) of the Federal Rules of Civil Procedure upon Respondent within 21 days of the date that this Order is served upon counsel for the Bureau, or as soon thereafter as possible. Pursuant to Rule 4.1(a), the Court hereby authorizes a process server, or any other person designated by the Bureau, to effect service in this case. Pursuant to 12 U.S.C. § 5562(e)(2), service may be made in any judicial district.

2. Proof of service completed pursuant to paragraph 1, above, shall be filed with the Clerk as soon as practicable. Because the Bureau's petition and accompanying declaration establish a prima facie case for enforcement of the CID, and the Bureau does not seek reproduction of material produced by NCS on August 21, 2020, the burden of coming forward to show that judicial enforcement would amount to an abuse of the Court's process has shifted to NCS.

3. If NCS has any defense to present or opposition to the Petition, such defense or opposition shall be made in writing and filed with the Clerk and copies

served on counsel for the Bureau 21 days after NCS has been served with this Order pursuant to paragraph 1. The Bureau may file a reply memorandum to any opposition within 14 days after NCS has filed any opposition.

4. At the show-cause hearing, only those issues brought into controversy by the responsive pleadings and factual allegations supported by the declaration of Sarah Baldwin will be considered. Any uncontested allegation in the Petition will be considered admitted.

5. Respondent may notify the Court, in writing filed with the Clerk and served on counsel for the Bureau, at least 14 days before the date set for the show-cause hearing, that NCS has no objection to enforcement of the CID. NCS's appearance at the hearing will then be excused.

Dated: _____

U.S. District Judge

Presented By:

LOCAL COUNSEL

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